



A notice to judgment debtor in the form presented by CPLR §5222(e) — HAS NOT — been served on judgment debtor within a year.

Index No.

against

Plaintiff(s)

Defendant(s)

**EXECUTION
WITH NOTICE TO
GARNISHEE**

THE PEOPLE OF THE STATE OF NEW YORK TO THE SHERIFF OF ANY COUNTY, GREETING:

WHEREAS, in an action in the

Court of

County of
between

as plaintiff(s) and
as defendant(s)

who are all the parties named in said action, a judgment was entered on
in favor of
and against
whose last known address is
in the amount of \$
interest thereon from

including costs, of which \$
remains due and unpaid;

together with

WHEREAS, a transcript of the judgment was filed on

with

the Clerk of the County of , in which county the judgment was entered; and

WHEREAS, a transcript of the judgment was docketed in the office of the Clerk of your county on

NOW, THEREFORE, WE COMMAND YOU to satisfy the said judgment out of the real and personal property of the above named judgment debtor and the debts due to him; and that only the property in which said judgment debtor who is not deceased has an interest or the debts owed to him shall be levied upon or sold hereunder; AND TO RETURN this execution to the clerk of the above captioned court within 60 days after issuance unless service of this execution is made within that time or within extensions of that time made in writing by the attorney(s) for the judgment creditor .

Pursuant to CPLR § 5205(1), \$2,625 of an account containing direct deposit or electronic payments reasonably identifiable as statutorily exempt payments, as defined in CPLR § 5205(1)(2), is exempt from execution and the garnishee cannot levy upon or restrain \$2,625 in such an account.

Pursuant to CPLR § 5222(i), an execution shall not apply to an amount equal to or less than 90% of the greater of 240 times the federal minimum hourly wage prescribed in the Fair Labor Standards Act of 1938 or 240 times the state minimum hourly wage prescribed in Labor Law § 652 as in effect at the time the earnings are payable, except such part as a court determines to be unnecessary for the reasonable requirements of the judgment debtor and his or her dependents.

Notice to Garnisher TO:
ADDRESS:

WHEREAS, it appears that you are indebted to the judgment debtor, above named, or in possession or custody of property not capable of delivery in which the judgment debtor has an interest, including, without limitation, the following specified debt and property:

NOW, THEREFORE, YOU ARE REQUIRED by section 5232(a) of the Civil Practice Law and Rules forthwith to transfer to the sheriff all personal property not capable of delivery in which the judgment debtor is known or believed to have an interest now in or hereafter coming into your possession or custody including any property specified in this notice; and to pay to the sheriff, upon maturity, all debts now due or hereafter coming due from you to the judgment debtor, including any debts specified in this notice; and to execute any documents necessary to effect such transfer or payment;

AND TAKE NOTICE that until such transfer or payment is made or until the expiration of 90 days after the service of this execution upon you or such further time as is provided by any order of the court served upon you whichever event first occurs, you are forbidden to make or suffer any sale, assignment or transfer of, or any interference with, any such property, or pay over or otherwise dispose of any such debt, to any person other than the sheriff, except upon direction of the sheriff or pursuant to an order of the court;

AND TAKE FURTHER NOTICE THAT at the expiration of 90 days after a levy is made by service of this execution, or of such further time as the court upon motion of the judgment creditor has provided, this levy shall be void except as to property or debts which have been transferred or paid to the sheriff or as to which a proceeding under sections 5225 or 5227 of the Civil Practice Law and Rules has been brought.

Dated:

Signature Print name signed.....

Attorney(s) for Judgment Creditor

Office and Post Office Address

ENDORSEMENT

Please take notice that the following named defendants were not served with a summons herein, viz.:

and that, as to them, the execution must be restricted as below prescribed.

An execution against property shall not be levied upon the sole property of such a defendant, but it may be collected out of real and personal property owned by him jointly with the other defendants who were summoned or with any of them, and out of the real and personal property of the latter or any of them.

Attorney(s) for

Name and Address of Garnishee

Address of Judgment Debtor

Location of Property

INDEX NO.

COURT

COUNTY OF

Execution

AGAINST PROPERTY

With Notice to Garnishee

LAW OFFICES OF

against

Plaintiff(s)

Defendant(s)

Sheriff of any County

Levy and collect as within directed

Attorney(s) for

Office and Post Office Address

*with interest from
besides your fees, etc.*

Dated and time received

.....*Sheriff*